City of Lafayette
Public Meeting Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Monday, November 10, 2008 **6:30 pm**
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS

Convene Redevelopment Agency

5. CLOSED SESSION
   A. **Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)**

Adjourn Redevelopment Agency

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, November 10, 2008 **7:00 pm**
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS
7. PRESENTATIONS
8. OLD BUSINESS
   A. **Tracy Reilly and Kim Tejada, Crime Prevention Commissioners**
   Introduce Ordinance 579 repealing Chapter 56-4 of the Contra Costa County Code Entitled "Solicitors and Peddlers" and adding Chapter 4-4 of the Lafayette Municipal Code Entitled "Solicitors, Peddlers and Canvassers"
   Recommendation: Discuss and consider Ordinance 579.

   B. **Niroop Srivatsa, Planning & Building Services Manager**
      1. **Palos Colorados Precise Development Plan: Compliance with the conditions in the Settlement Agreement relating to visual impact**
      Recommendation: Authorize staff to forward comments to the Moraga Planning Commission.

      Convene Redevelopment Agency

      2. **Lafayette Residential Partner's Request to Transfer the Phase III Property and the Town Center Development Agreement to KB Home South Bay, Inc.**
      Recommendation: Adopt Resolution 2008-047 approving Lafayette Residential Partner's request to transfer the Phase III property and the Town Center Development Agreement to KB Home South Bay, Inc.; the transfer to become effective upon: (1) KB Home's execution of an assignment and assumption agreement in a form approved by the City; and (2) the transfer of the Property to KB Home prior to the expiration of the Development Agreement.

      Adjourn Redevelopment Agency

9. STAFF REPORTS

10. PUBLIC HEARINGS
    A. **Christine Sinnette, Senior Planner**
    Appeal by Richard Holt of the Planning Commission denial of HDP47-07 and V17-08 for a request for a hillside development permit (HDP47-07) and variances (V17-08) to build a new two-story single family residence on a lot located at the intersection of Sierra Vista Way and Sessions Road (Tract 5332 Lot 66). APN 2332-052-019
    Recommendation: Accept public testimony and consider the recommendations of the Planning

Commission and staff. Continue the hearing to the December 8th meeting.

11. CONSENT CALENDAR
    A. **City Council Minutes**
    October 27, 2008
    Recommendation: Approve.

    B. **Agreement relating to maintenance of existing landscaping between property owners, Scott Braunstein and Lulu Braunstein and the City of Lafayette, for property located at 1261 Redwood Lane. APN 242-060-021**
    Recommendation: Accept agreement relating to maintenance of existing landscaping and authorize the City Clerk to record.

    C. **Community Park Children's Play Area Project – revised cost estimate from $248,475 to $334,000**
    Recommendation: Revise the 2008-2009 Budget to reflect the revised cost estimate and authorize staff to move forward with bids and construction.

    D. **E-mail dated October 22, 2008 from Earl Piermattei resigning from the Capital Projects Assessment Committee.**
    Recommendation: Accept resignation.

    E. **Review and comment on October 9, 2008 Central County Action Plan for routes of Regional Significance**
    Recommendation: Forward comment letter to TRANSPAC.

    F. **Resolution 2008-45 establishing City Manager Salary Range and City Manager's Salary**
    Recommendation: Adopt Resolution 2008-45.

    G. **Resolution 2008-46 approving the City Manager Employment Agreement**
    Recommendation: Adopt Resolution 2008-46.

12. COUNCIL/COMMISSION REPORTS
    A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

13. WRITTEN COMMUNICATIONS
    A. **Letter dated October 23, 2208 from Kathryn Kavanagh, Community Liaison for Hospice Foundation of the East Bay, requesting police assistance with street closure at Mt. Diablo Blvd. at Lafayette Circle East for the Annual Tree of Light ceremony on Sunday December 7th at 5:30 pm.**
    Recommendation: Discuss and direct staff.

14. ADJOURNMENT to the next regularly scheduled meeting on Monday, November 24, 2008

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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